

AO 440 (Rev. 10/93) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

District of Massachusetts

Robert J. Gallagher

## SUMMONS IN A CIVIL CASE

V.

New Pharm Distributors, LLC,  
 Rx-e Pharm,  
 Eugene E. Newman and  
 Ralph Jordan

CASE 05-11811 DPW

FILE COPY

TO: (Name and address of Defendant)

Eugene E. Newman a/k/a Eugene C. Newman  
 New Pharm Distributors, LLC  
 2700 Ayershire Drive  
 Bloomfield Hill, MI 48302-0802  
 Oakland County

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Robert D. Carty, Jr.  
 Fee, Rosse & Lanz, P.C.  
 321 Boston Post Road  
 Sudbury, MA 01776  
 978-440-7000

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



5-15-06

DATE

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| RETURN OF SERVICE   |  |              |
|---|--|--------------|
| Service of the Summons and complaint was made by me <sup>(1)</sup>  | DATE   | 5-16-06      |
| NAME OF SERVER (PRINT)<br>THOMAS GlenFiegn  | TITLE  | CPS          |
| Check one box below to indicate appropriate method of service   |  |              |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served:<br><u>2700 AYERSHIRE Dr.</u><br><u>BloomFIELD Hills, Mi 48302</u>   |  |              |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br>Name of person with whom the summons and complaint were left: _____ |  |              |
| <input type="checkbox"/> Returned unexecuted: _____<br><br><br>   |  |              |
| <input type="checkbox"/> Other (specify): _____<br><br><br>   |  |              |
| STATEMENT OF SERVICE FEES   |  |              |
| TRAVEL  | SERVICES                                       | TOTAL        |
|   | <u>35.00</u>                                   | <u>35.00</u> |
| DECLARATION OF SERVER   |  |              |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.  |  |              |
| Executed on <u>May 16, 2006</u><br>Date   | <u>Thomas Glenfield</u><br>Signature of Server |              |
| <u>4656 Desert Bridge Ct Highland, Mi 48356</u><br>Address of Server  |  |              |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.